

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION**

GREGORY SMYTH,)
Petitioner,)
v.) **Criminal Action No. 3:07-cr-00010**
)
UNITED STATES OF AMERICA,)
Respondent.) **By: Hon. Michael F. Urbanski**
) **United States District Judge**

ORDER

For the reasons set forth in the accompanying Memorandum Opinion entered this day, Gregory Smyth's oral motion to dismiss his habeas petition (Dkt. # 507) is **GRANTED**, Smyth's § 2255 petition (Dkt. # 393) is **DISMISSED**, and this case is **STRICKEN** from the active docket of the court.

The Clerk is **DIRECTED** to send copies of this Order to counsel of record.

Entered: August 29, 2011

/s/ Michael F. Urbanski

Michael F. Urbanski
United States District Judge